

CONVOY DISPATCH

VOICE OF THE TEAMSTER RANK AND FILE SINCE 1975

January, 1985
No. 49



An Issue to Draw the Line On

Two-Tier: A Deadly Threat to NMFA

Negotiations covering 200,000 freight Teamsters directly (and hundreds of thousands of others affected by related contracts) have opened, delayed slightly until January 15 by the funeral of Teamster VP Jesse Carr. The International Union is meeting with three major employer associations.

TDU has copies of the union's demands, as presented to the locals in December. They include important issues worthy of support, although no economic demands (wages, pensions, cost of living, etc.) are included yet. But at the same time a large danger is looming over our heads.

There are strong signals that Teamsters may again face a disastrous two-tier wage proposal in the contract. A little over a year ago Jackie Presser proposed the relief rider to the NMFA, to bring in two-tier wages. Under the rider, most employed Teamsters would get scale, but those at the bottom of the list and all future hires would be stuck permanently as second-class Teamsters with lower wages.

We said no, loud and clear, with a vote of 94,000 to 13,000. It was a beautiful display of solidarity. But the employers still want two-tier as their big take-away demand and Presser is still considering giving it to them.

It's up to us to make it very clear we will not ratify any contract with a two-tier wage. It would threaten every members' job, undermine our union, and destroy the union principle of equal pay for equal work.

What the Experts Say

"It's a divisive force. This is a very shallow and unenlightened view on the part of management."

—AFL-CIO economist John Zalusky

"Perhaps a more troubling prospect for union leaders is the danger these

(two-tier) concessions will further weaken the power of organized labor."

—Wall Street Journal (12/14/83)

"Labor officials said the (two-tier) systems can drive a wedge between members, threatening worker solidarity and the hallowed concept of equal pay for equal work. In addition, significant legal problems may emerge for both unions and employers as two-tier systems mature, according to one labor law scholar, Professor Clyde Summers."

The biggest proposed agreement yet

to include a dual wage structure was bargained by leaders of the Teamsters and the trucking industry. Despite dramatic unemployment levels within the Teamster ranks, the rank and file rejected the proposed Master Freight Agreement revision by a seven-to-one margin."

—Bureau of National Affairs
(12/26/83)

Don't Be Taken In

We cannot be blinded by a small wage hike or a long-overdue pension hike, while at the same time approving a two-tier contract or a "70%" clause

as exists in some eastern supplements. Remember, a high proportion of freight Teamsters are up in seniority. Some are waiting for this contract to retire. The carriers can then hire cheap labor at will, if they get the two-tier or 70% clause, and in a few years we will all be down to that level. This is an issue to draw the line on. The future of our union is at stake.

For more on the NMFA, including summary of union demands, see page 4.

Largest Rocky Mountain Local

TDUer Wins Denver Election

Denver Teamsters have been left shaking their heads in wonder at the creativity of their former secretary-treasurer, Jim Ivey. Ivey was defeated as principal officer of Local 435 on December 17 by TDU International Steering Committee member Linda Gregg, and has filed an election appeal that takes a blue ribbon for originality, not to mention sheer nerve.

Gregg won a narrow 47 vote victory in a mail ballot. Ivey's rules allowed far less time for voting than in previous Local 435 elections, but that was not enough to turn back Gregg. Now Ivey has filed an appeal with Joint Council 3 saying that the elections should be overturned because *his own* procedure was unfair and didn't allow enough members to vote!!

Local 435, with 4,100 members, is the largest in the Rocky Mountain states. Most of its members are in delivery and warehousing. Gregg, a forklift driver at Safeway, had two running mates, Steve Hubmer of Nobel/Sysco and Dean Ribaud of UPS. Both narrowly lost trustee spots, coming in fourth and fifth of seven.

"We ran on Jim Ivey's record," Gregg told *Convoy Dispatch*. "because he certainly couldn't. He chose to primarily attack TDU and my affiliation with TDU, saying that I wasn't a loyal Teamster, and that the 'TDU deviants' wanted to destroy the union."

"The members saw this for what it was: an attempt to avoid the real issues of the campaign, which were: Ivey's negotiation of concessions contracts with very profitable employers; his lack of a strategy for combatting



Linda Gregg, Safeway Teamster, member of the TDU International Steering Committee, and newly elected secretary-treasurer of Denver Local 435.

employers' concession demands; the lack of a program for organizing new members into our union; and a local union run in an undemocratic way that discouraged membership participation. Ivey's attacks backfired on him."

Gregg ran on a detailed platform that answered these concerns and also stressed better training for the union staff and stewards, more cooperation with other Teamster and AFL-CIO

locals, and more visibility for the union in the workplaces that it represents.

Better Representation the Goal

When asked about her main priorities as 435's new secretary-treasurer, Gregg said, "First and foremost, I want to strengthen and unify our local. The other big job that we face is really improving the level of representation for our membership. I have a lot of ideas on how to do that, but we are all going to have to work together to accomplish them."

Gregg's election is a very important step for Teamsters nationally. This may well be the first time a woman has been elected principal officer of a Teamster local this large in a traditionally male jurisdiction.

This is also the first time a member of TDU's International Steering Committee has been elected to head a local. Ivey made TDU an issue in his campaign and Gregg was very public about her TDU affiliation. The members made it clear they were voting on the people and programs, not scare tactics and character assassination.

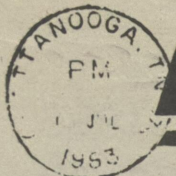
All of Local 435 is now looking forward to getting on with the business of building the strength of the local.

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From the Members

Presser Wrong on Two-Tier Wages

In a *Los Angeles Times* story dated 12/10/84 Brother Jackie was quoted as telling a panel of experts at the Conference Board (a private research organization) that a two-tier wage structure is almost a sure thing.

It seems to me that Brother Jackie is taking a lot for granted. Most members that I have talked to feel the same way I do: "equal pay for equal work." We should not accept any contract that does not have that premise as a cornerstone.

J.R. Shambaugh
Local 63
Los Angeles, California

Wake Up and Face Reality

I know TDU is working hard to provide valuable information to the rank and file and striving to upgrade our contracts.

Due to greed, ignorance and inability of individual Teamsters to foresee what is happening to our union, most of them will not do anything about it. However, they will sit in a bar drinking or in a restaurant and complain about working conditions and what should be done to improve the problems, but will not spend \$25.00 wisely to join and promote TDU to better their own working conditions. I pity these Teamsters, as their future is passing them by. They had better wake up and face reality.

The IBT does not represent their members (who happen to be paying their salaries) and have never replied to my letters, kept me well informed, agree continually to concessions that do not hurt them but all working Teamsters.

Yet, TDU has always listened to me, responded to my letters, and kept me well informed with *Convoy Dispatch* for a minimal fee annually. I will continue to support and promote TDU. We as Teamsters *must stand together now*.

Thank you TDU for what you have done, what you are doing and you will be doing for the rank and file.

James L. Caudill
Local 100
Cincinnati, Ohio

IBT: Stay Out of Local Contracts

In light of what I've read about the UPS contract being reopened early, and the near miscarriage of justice regarding the members' voting rights, I would like to share with you a little of what has been happening to the construction members of Local 839 in Pasco, Washington.

We were under a contract negotiated by our local representatives and voted on by the membership which

Quotation of the Month

"People have a right to work. In return for their labor, workers have a right to a just wage. Labor is not simply a commodity traded on the open market, nor is a just wage determined simply by the level the market will sustain."

"It is one of the consequences of the way power is distributed in a free market economy that employers frequently possess greater bargaining power than do employees. Such unequal power may press workers into a choice between an inadequate wage and no wage at all. The provision of a wage sufficient to support a family in dignity is necessary to prevent this exploitation of workers...."

"As an institutional means to achieve these guarantees, the church fully supports the right of workers to form unions. Trade unions express the essentially social nature of human persons to manifest the human need for solidarity. Unions may legitimately resort to strikes in situations where they are the only available means for pursuing the justice owed to workers."

"Therefore we firmly oppose organized efforts, such as those regrettably now seen in this country, to break existing unions or to prevent workers from organizing through intimidation and threats."

from Draft Pastoral Letter
Roman Catholic Bishops

was supposed to be in effect until June 30, 1985. In 1983 we gave up 25c an hour out of our pay to maintain our benefits. In 1984 we gave up 37c to maintain benefits. We have had no raise since 1982.

In August of 1984 our local was called to a meeting in Seattle where they were informed by our International reps that the International had negotiated a new contract for us in Washington, DC. They informed our local representatives that they really couldn't tell them what was in the contract since negotiations hadn't completely ended yet. When our local officials informed the International boys that we had a contract in effect until June of 1985, they were informed that they could just sit down and shut up. All objections fell on deaf ears.

On September 10, 1984, the new contract was instituted by the contractors, even though we didn't have copies and didn't know what was in the agreement. On September 20 at our general membership meeting we received copies of the agreement signed, sealed and delivered by the International. The first thing we noticed was a \$60 per week pay cut.

We were stunned to think that any person or small group of people in Washington, DC, who never saw where we work, could just nullify a legal agreement, without coming to the members.

Every Teamster should be appalled at these actions. We should band together all across this country and demand that these violations of our rights be ended and the union be returned to the members for whom the union was formed.

I could recommend no greater organization to accomplish this task than Teamsters for a Democratic Union. With their help, Local 839 members are demanding our right to negotiate and vote on our contract and if need be, get our day in court. Wish us luck in our fight. Three cheers for TDU.

Mary Ann McKenney
Local 839
Pasco, Washington

Prepare Now for 1986 Convention

We must have the right to vote for our international officers. I feel members could help accomplish this by passing resolutions at their local meetings requiring the officers of their local and delegates who attend the IBT Convention to work for this by introducing motions and voting in favor of them.

Don Havener
Local 600
Rosebud, Missouri

Ed. Note: Resolutions passed at local union meetings cannot bind the delegates legally, but can still be an excellent way to let them know the members expect action on this issue.

West Coast Office

For members in the western states, our San Jose, California office is available to serve you. To contact the west coast office call: (408) 971-1035; or write: TDU, PO Box 8548, San Jose, CA 95155.

TDU Steering Committee

Co-Chairs:

Doug Allan, #208
Mike Belzer, #705
Pete Camarata, #299
Cliff Coonley, #600
Organizer:
Ken Paff, #407
Trustees:
Mike Friedman, #407
Konstantine Petros, #20
Maralee Smith, #142

Members:

Emil Abate, #853
Barbara Boriotti, #804
John Braxton, #623
Manuel Diaz, #679
Brian Elliott, #966
Linda Gregg, #435
Jim Wardell, #710
Alternates:
Kyle Ray, #413
Sam Fenn, #63
John O'Brien, #445

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Who We Are

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers, warehouse workers — every kind of Teamster and spouses too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in October 1984 for one year. Our Rank & File Convention had over 500 representatives present.

We are proud Teamsters standing up for our rights. TDU invites all Teamsters interested in defending our contracts and reforming our union to join us. We do reserve the right to exclude those who are opposed to reform or to TDU and its principles.

Rank & File Bill of Rights

I. DEMOCRATIC BY-LAWS. All Business Agents and Stewards should be elected. Vacancies in offices should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining their company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent till proven guilty, right to remain on the job till final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right backed up by our union to refuse unsafe work or hazardous conditions. We are not machinery.

VI. EIGHT HOUR DAY AND FIVE DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25 and out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the difference in age, race, and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.



Washington Watch

Road Drivers Stress Top Concerns in TDU Survey:

"Stop the Brokers Now"

A road driver's life is a tough one. You spend a good part of your time out on the road, away from your family. Sometimes it seems like you're at the mercy of a dispatcher that thinks you're married to your truck instead of your spouse. Sometimes it can be a dangerous job, dealing with unsafe equipment and hazardous roads. In the past it seemed worth it because the money was good. Your job was secure and the union was making sure of it.

But as the results of TDU's Road Driver Survey show, the life of a road driver isn't what it used to be.

Main Concern: Subcontracting

The drivers participating in the survey stated that their main concern is the flagrant violations of Article 32, and the loss of union jobs to companies using brokers. Job security is at the heart of the matter. As one Yellow driver from Columbus put it, "We have to stop brokers from hauling union freight. If this isn't stopped in the next contract, union road drivers' days will be numbered."

Following close behind subcontracting were concerns about hours of service and babysitting the phone. One Akron CF driver made his feelings clear on this issue: "Why do I have to work 15 hours at a time instead of eight? Why do I have to work 60 to 70 hours a week with no overtime? It's all in the company's hands. I would like to spend time with my family like everyone else does."

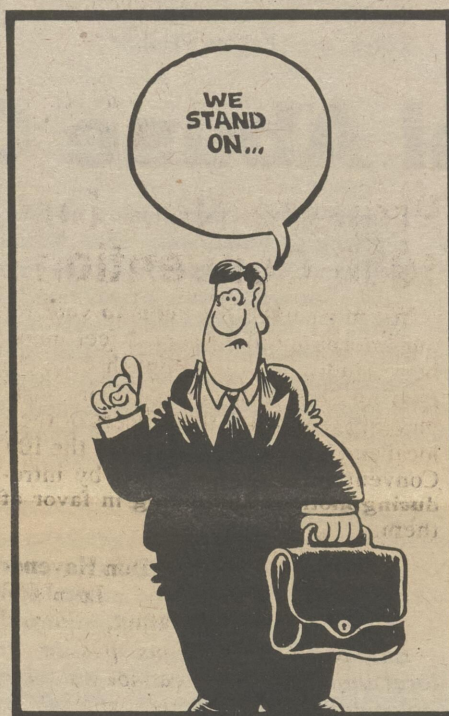
The third most important item listed by the respondents was that all time in service to the company be paid for. "We need to be paid for all time in service," a St. Louis Ryder/PIE driver remarked. "For example, on a minimum mileage run, the eight hour guarantee should be paid for mileage plus all time loading, unloading and breakdown. Overtime should be paid after eight hours on peddle runs that pay minimum mileage."

Safety was listed as the next most important issue. Many complaints came in on the Jifflox equipment, with

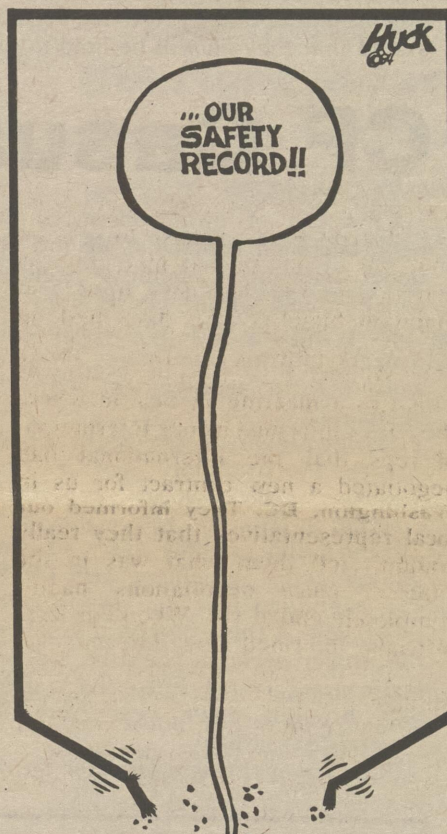
many drivers stating that they should be outlawed. Mentioned many times was government and union inaction towards safety hazards. One driver said, "Safety is a major concern of all road drivers, but the companies, through coercion, using threats of layoffs or change of operations, have people scared to stand up for what is legally theirs. Government agencies are almost worthless when it comes to

protection."

Road drivers obviously have concerns which demand serious attention by our negotiators in the upcoming contract negotiations. If you would like more information on the TDU Road Driver's Network, or if you have problems related to safety, hours of service, equipment or other issues of concern to road drivers, contact the TDU Washington office.



Safety was one of the issues road drivers listed as a major concern in the TDU survey.



NLRB Hits Local 337, Others on Disruptions

To avoid testifying under oath before an NLRB judge, Jackie Presser's Ohio Conference of Teamsters has joined several other Michigan and Ohio locals in an out of court settlement of NLRB charges over their attempted disruption of the 1983 TDU convention.

The NLRB charged that BLAST, which was set up and financed by Presser in 1981 to disrupt rank and file activities, "has been and is now an agent of Respondent" Teamster locals, "acting on their behalf."

The settlement requires the union to post the following notice for 120 days:

"WE WILL NOT engage in forcing entry, threatening, or physically attacking employees or in any other manner restrain or coerce employees with respect to their involvement or participation in any meeting or convention concerning internal union matters or where employees are discussing wages, hours or other

terms and conditions of employment or union-related matters."

Charged along with the Ohio Conference were Joint Councils 41 (Ohio) and 43 (Michigan), Toledo Local 20 and Detroit Locals 337, 247, 124, 243 and 299.

Stronger action is being taken by the NLRB against Local 337 because of three previous charges in which the local's officers promised or were ordered to stop harassment and intimidation of rank and file members. Because of repeated violations of these orders and promises, the Detroit NLRB has recommended that a previous judgement against Local 337 be taken to federal court for enforcement. This action would insure quicker and more severe penalties for Local 337 over any future violations.

The settlement agreed to by the Ohio Conference and other locals lays the groundwork for similar action against them if that should be necessary in the future.

Fired Teamster Sues, Wins \$80,000

Mel Lewis, who started driving for his dad 24 years ago when he was 14, a Teamster member for almost all of those years and a TDU member since 1981, won \$80,000 this last December by suing his ex-employer, Coast Gas, for unlawfully firing him on Christmas Eve in 1982.

Lewis' TDU lawyer, Dan Siegel, said at the conclusion of the trial, "This should show all California workers that they cannot be fired for refusing an order from their boss that requires them to break the law."

The case is straightforward, although unusual. On Christmas Eve Day, 1982, Mel Lewis was told by his dispatcher that he would not work on Christmas Eve or Christmas Day. Then at 5 pm Christmas Eve the dispatcher called Lewis and told him to report to work at 2 am Christmas morning. Lewis told the dispatcher that his logs showed he was "out of hours," and that he wanted to spend Christmas Day with his family. The dispatcher told him that if he didn't go to work he would be fired. He didn't go, and was fired.

A Strong Union Member

A long time union member, Lewis had been forced out of his job at General Produce, and obtained a job hauling ice in Salinas, California Local 890. When laid off for the winter, Lewis, with four small children to support, could not get by on his unemployment check and went to work for the non-union Coast Gas.

When Siegel heard about Lewis' firing from Coast Gas he filed a complaint with the Department of Transportation (DOT). After some delay, the DOT investigated and found that Coast Gas had consistently violated the 70 hour driving limit. The DOT cited Coast Gas, warned them not to do it again, and forgot it.

Armed with this finding, Siegel and Lewis sued the company for "wrongful termination," using as the legal basis a series of recent California Supreme Court decisions which established that even without a union the worker had some rights on his or her job and could not be fired for just any reason.

At the trial Siegel told a modern *Christmas Carol*, with Coast Gas as Scrooge and Lewis as Bob Cratchett. Unswayed by Coast Gas' almost nonexistent defense, the jury awarded the presents: \$30,000 in back pay and \$50,000 in punitive damages.

Drivers from other states should keep in mind that Lewis won his case based on California case law.

Washington Office

This page is devoted to news from the Washington office of TDU — formerly PROD's national office. Litigation, designing new legislation, and reforming safety regulations concerning all aspects of working conditions and truck design — the Professional Drivers Council of TDU is here to help you. Contact us today at:

PROD/TDU
2000 P Street, N.W., Room 612
Washington, D.C. 20036
(202) 785-3707

Presser Vows No Side Deals

Freight Contract Demands on Table

Below are printed some of the highlights of the union demands on non-economic issues for the NMFA. They contain some important issues: stopping all subcontracting and double breasting, ending abuse of casuals, and more. These demands came forward from the local unions, submitted by TDUs and other Teamsters, and are now being put on the table before the employers.

At the December meeting of local officials in Chicago, Presser also responded to questions put to him. He said he would sign only one national contract, with all the associations and employers. He said he would not tolerate any side deals by locals, and would "pull the charter" of any that sign them.

These are tough sounding words from the man who signed the relief rider a year ago. We may be suspicious, but let's take him at his word, support his stand and hold him to it.

Summary of Union Demands

Here is a brief summary of the demands put forward by the national negotiating committee:

- **Subcontracting and Job Erosion.** Dealing with this problem are proposals to change Articles 1, 3, 22, 29, 32 and others. One demand is "for a complete ban on all subcontracting... preventing the diversion of freight under the excuses of 'overflow,' past practices, new pick-up and delivery points, and etc."

Also included are demands for elimination of double breasting outfits currently in operation at Roadway, CF, Ryder/PIE, McLean, Leaseway and others operating non-union companies.

- **Stop Abuse of Casuals.** "Casual employees shall have full protection of all provisions of the contract. They shall be given priority hiring rights..." *Stronger language to this effect is in the supplemental demands.*

- **Seniority.** "Provide some sort of master layoff seniority board to give laid off employees a better and fairer chance for recall throughout the entire freight industry." *Some supplemental demands are stronger.*

- **Safety and Health.** Proposals are included to strengthen a driver's right to refuse unsafe equipment and to establish safety committees at every terminal. Also, a "right to know" clause regarding all materials handled. Another important demand calls for a study on handling trailer dollies and the injuries caused by this procedure, with the goal of creating new standards or language.

- **No Mandatory Overtime While Members Are Laid Off.** This is demanded in some supplements (Central and Western included).

- **Road Diver Rights.** Some supplements call for protections such as fixed call in times to limit babysitting the phone. *Western supplement calls for right to book off 48 hours for every six tours.*

- **Grievance Procedure Improvements.** Nothing significant in the Master, but some demands in the supplements. (Western Conference

demands include "innocent until proven guilty." Some supplements propose going from one warning letter to two prior to discipline and a six month limit on letters.)

- **Voiding All Substandard Riders.** Addition to Article 2.

Who Does TMI Represent?

The union is bargaining with three associations dealing with the NMFA. Still dominant is Trucking Management Inc. (TMI), with 29 carriers employing about 100,000 Teamsters. These are primarily the big employers. There is also the Motor Carrier Labor Advisory Council (MCLAC), and the new Regional Carriers group. Presser stated that they all will be held to the

same contract, presumably with TMI taking the role of pattern setter.

The 29 carriers in TMI are as follows: *ABF Freight; APA Transport; American Freight System; Campbell 66; Carolina Freight Carriers; Churchill Truck Lines; Consolidated Freightways; Deliantis Trucking; Downs Bros. Hauling; Ford Electronics & Refrigeration; Garrett Freightline, Inc.; Graves Truck Line; Hall's Motor Transit; Holland Motor Express; Husband Transport; Interlaine Cartage; International Carriers; McCormick's Express; McLean Trucking; Middlewest Freightways; New Penn Motor Express; Preston Trucking; Red Star Express; Roadway Express; Ryder/PIE Nationwide; Sea Land Service; Smith's Transfer Corp.; Transcon Lines; and Yellow Freight.*

Pass a Motion—Send a Message

You can help preserve and improve the NMFA. One very important way to help is to introduce a motion at your local union meeting putting your local on record behind a good contract.

"The membership of Local Union goes on record in support of the union demands made for the NMFA, and wish to also go on record calling for restoring our cost of living clause, a major pension improvement, and against further concessions. We will support the National Negotiating Committee 100% in winning these demands, and will vote to reject any agreement which fails to address these concerns."

A copy of any motion passed should be sent to the International Union.

CF Casual Abuse Curtailed

CF's use of owner-operators has been curtailed somewhat by the National Grievance Committee decision, which found CF in violation of the NMFA. But one local official has taken matters into his own hands trying to work out an arrangement with the company.

Harley Fulkerson, President of Local 722 in Peru, Illinois, sent a Titan message to certain locals, proposing a meeting of BAs and road stewards to "discuss and possibly agree to some guidelines or agreement with CF for the continued use of owner-operators." While this attempt at resolving the broker problem could be a democratic step forward, Fulkerson's action only brought down heat from the Central Conference.

Jack Yager, Freight Director for the

Central Conference, wasted no time in replying to Fulkerson: "The National Grievance Committee has not—repeat—has not withdrawn jurisdiction insofar as CF's utilization of owner-operators in violation of the Central States Supplement and National Master Freight Agreement is concerned, nor has the National Grievance Committee conceded that the present method CF is applying is proper under the terms of the contract."

"If there is any further effort by your local union, number 722, to circumvent the Central Conference or the appropriate committees... I will request that action be taken against your local union under the provisions of the International Constitution."

Whether or not Yager actually objected to deals made with CF, or the

idea of a meeting between BAs and road stewards riled him, changes began to be made in Peru following this exchange.

Local 722 and CF had agreed to use 50-70 casuals on a full time basis, on a separate casual board for the last 8 months. Peru CF employees were angered by the use of casuals when it was clear they should have been put to work on the regular board. Shortly after the reply from Yager this practice was stopped. Only a few casuals are now being used, none over the 30 day period. The use of owner-operators out of Peru has also been drastically cut.

The actions taken to curtail casual abuse at the Peru facility and to begin to tackle the owner-operator problem nationwide is a step in the right direction.

New Publication from TDU:

Steward's Manual

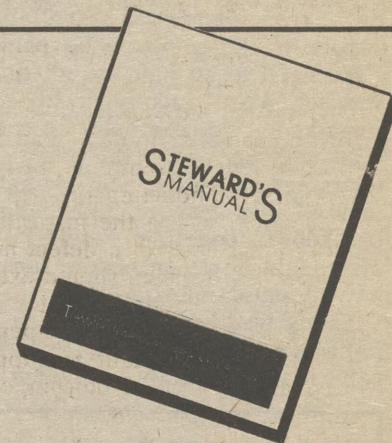
TDU's Steward's Manual is a comprehensive handbook designed for the Teamster steward, as well as other concerned rank and file members. The manual draws on the experience of many Teamster stewards, covering the basic roles of the steward and the skills and tactics that can help build union strength both on the job and in the union.

"I found that the manual contained excellent information. As a steward I recommend it as a vital guide for all stewards. Most important it is broken down in a way that makes it useful on a daily basis in individual shops."

Mike Domke
Steward, Borman's Foods
Local 337, Detroit

"Too often stewards don't know the many roles they have to play, and often overlook the important role they can play in organizing members. This manual really covers the many hats that a steward has to wear. I think our grievance procedure would be improved tenfold if all stewards read it."

Bill Bauman
Chief Steward, UPS
Local 688, St. Louis



YES, I will order:

_____ copies of the new *Steward's Manual*. Price: \$3.00 each or \$2.50 each for 5 or more.

Name _____

Address _____

City _____ State _____

Zip _____ Local # _____

Phone() _____

Send to:
TDU, P.O. Box 10128, Detroit, MI 48210

The Steward's Corner—Please Post

How to Protect Yourself Against Hazardous Conditions

Can You Refuse Unsafe Jobs?

by Jim Celenza
Rhode Island Committee on
Occupational Safety and Health
(Reprinted from Labor Notes)

Do you have the right to refuse hazardous work? Every year 14,000 workers in this country are killed on the job. And every year close to 400,000 are disabled on the job—or from their jobs. A good case can be made that there are legal protections for workers who refuse dangerous work. Enforcing that right through the legal system is another question. Ultimately the right to turn down dangerous work depends on the strength of the union.

Under the Occupational Safety and Health Act a worker may refuse to perform hazardous work under the condition(s) that a "reasonable" person would say there was a real danger of death or serious injury, there is insufficient time to eliminate the hazard through regular statutory channels, and the worker has tried to get the employer to abate the hazard. This regulation is called 1977.12(b)(2), and has been upheld by the Supreme Court against several court challenges.

What this means is that if a worker is fired for refusing hazardous work, then he or she can lodge an OSHA complaint (called an 11(c) complaint),

claiming discrimination for using OSHA-granted rights. The effectiveness of this protection depends upon the effectiveness of OSHA. Under the Reagan administration, staff and budget cutbacks have affected the time and money OSHA will put into pursuing an 11(c) case. Such cases take time, often years. Whether OSHA will pursue the case—and how vigorously—really depends on the local and regional OSHA offices.

Will the NLRB Help?

There are two other provisions in labor law that bear on a worker's refusal of hazardous work. Under Section 7 of the National Labor Relations Act, "concerted activity" is a protected right; this is workers' right to act together for the purpose of mutual aid or protection. This protection has been seen to include the right to stop work to protest unsafe conditions, or to walk out on a safety strike. (The NLRB will usually not enforce this right if you have a union. They have reasoned that you have a grievance procedure, and therefore won't need Section 7.)

In Missouri a group of 11 non-union food workers stopped work to protest a long simmering hazard, a refrigeration system that leaked ammonia. They were fired. Both the

NLRB and the courts forced the company to rehire the workers with back pay. *NLRB v. Tamara Foods, Inc.* 692 F2D 1171 (CA8, 1982), cert. den 103 S Ct 2089 (1983).

However, the traditional NLRB decisions regarding "concerted activity" are being overturned by the Board under Reagan. The Board ruled against a non-union driver who was fired for refusing to operate an unsafe

**"Ultimately
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truck, on the grounds that he had acted alone rather than in concert with other workers. *Meyers Industries, Inc.* 268 NLRB No. 73 (1984). The fact that a different federal law also gave the driver the right to refuse the hazardous work was held to be not relevant by the NLRB. (Note: TDU attorney Ellis Boal is appealing this decision.)

On the other hand, in another case the Supreme Court upheld an individual worker's right to refuse to drive an unsafe truck, because in this case his union contract specifically gave him that right. *NLRB v. City Disposal Systems, Inc.*, 104 S Ct 1505 (1984). (Note: The NMFA and many other IBT contracts do have this clause.)

The other applicable part of the law is Labor Management Relations Act Section 502. This section means, among other things, that if your union has a no-strike clause in its contract, such a clause does not prohibit walkouts or work stoppages over "abnormally dangerous conditions of work."

What Is "Abnormally Dangerous"?

However, "abnormally dangerous" can mean almost anything. And it has. RICOSE tried to get a group of truck drivers their jobs back after they were fired for refusing to pick up money in unmarked trucks. Several drivers had almost been shot by the police, who thought they were robbers. The drivers said they had walked out over "abnormally dangerous" conditions. They lost. The NLRB has restricted its willingness to defend workers on these kinds of work stoppages.

No law can shut down a hazardous job. Laws may help to reinstate you if you are fired; they may help to get you back pay. But no law can protect your life. That right has to come from power that workers exercise in the workplace. Developing and strengthening a union health and safety committee is the most effective way to

identify hazardous conditions and to protect workers who refuse hazardous assignments.

Some union contracts grant rights to investigate and shut down hazardous work operations to a joint union/management health and safety committee.

Amalgamated Clothing and Textile Workers Union Local 615 in Providence, Rhode Island has language stating,

No employee shall be discharged for refusal to work on or about equipment or a condition that has been found to be unsafe by an authorized representative of the appropriate state or federal agency, or by any other representative who is mutually agreed to by the parties.

The company will not discipline an employee who refuses to work in an imminent danger situation in accord with federal, state and local laws and of court decisions.

The local has used this language effectively in conjunction with OSHA, to shut down unsafe freight elevators.

How to Refuse

It is important to remember that not all, or even most, refusals end up with firings, disciplinary actions or legal proceedings. Many refusals of unsafe work are resolved satisfactorily on the shop floor. This is especially so if you're part of a strong, active union.

In any case, you can reduce the risk of refusing unsafe work by handling the problem in a certain way. Courts and arbitrators generally protect a worker if they feel two conditions are met: 1) the worker refused the job in "good faith"—that is, with the honest belief that the job was unsafe, and 2) the job was unusually and objectively dangerous.

You can best protect yourself by doing the following:

- Try to get co-workers to act with you, or at least support your position to management. If you can help it, don't act all by yourself.

- Notify the supervisor and the union and ask that the hazard be corrected.

- Make it clear that you will do another job, or that you will do the job you are refusing once the hazard is removed.

- Don't leave the worksite unless ordered to. Employers are much more nervous when workers are taking action on their property.

- Notify OSHA and say that there is a life-threatening imminent danger.

- Document the hazard: Has the problem been protested before? Has anyone been injured or made ill doing this work? Are there OSHA or state regulations that cover the problem?

(Note: there may be a local Committee on Occupational Safety and Health [COSH] in your area. Contact them for more info.)

Drivers should consult the TDU office on the issue of unsafe trucks.)

Appeals Court Decides on Pre-Trip Pay Issue

On December 10, 1984, a federal appeals court issued a decision in *Barrentine v. Arkansas Best Freight System*, establishing that road drivers are entitled to minimum wages for time spent conducting pre-trip safety inspections, where the inspection results in discovery of a defect needing repair. This decision should extend to all safety related time for which drivers are currently not compensated, and may be important in supporting pay claims for other uncompensated time, such as drop-and-hooks.

TDUer Lloyd Barrentine and several other drivers brought suit against ABF in 1977. The district court denied Barrentine's claim for wages for time spent in conducting pre-trip safety inspections. Barrentine persisted, and took his case to the Supreme Court, which ruled that the grievance committee decision could not undermine his right to compensation under the Fair Labor Standards Act (FLSA). This Supreme Court precedent was a major victory. This Act provides that employees must be paid for all time working under the control of the employer, as long as the work is done primarily for the employer.

The Supreme Court then sent the case back to the district court, which decided that the pre-trip safety inspection

time should be compensated (at least the minimum wage), because it is "an integral and indispensable portion of the driver's duties." The court of appeals has now agreed.

The judge found that the pre-trip safety inspection met the FLSA standards for time that is controlled by and primarily for the benefit of the employer. In so ruling, he rejected ABF's arguments that because the federal regulations require these inspections, the time is not primarily for the benefit of the employer.

Lloyd Barrentine was quick to thank attorneys Arthur Fox and David Vladeck for their good work. He also pointed out that this case is not quite over. ABF has said they intend to use their one last appeal to ask the US Supreme Court to review the case again. This appeal, while unlikely to erase the victory, will take months.

Of course, there would be a better way to win this matter, without having to go through the courts. That would be for the upcoming NMFA road supplements to include clear language that all time be compensated, and grievance committees to enforce the contract. Is this too much to ask, this basic human right of being paid for our work?

Reformers Score in Local Elections

From California to Pennsylvania reform minded candidates won recent local union elections, indicating that members are voting for candidates that stand for positive change on the local and international level, and who oppose further contract concessions.

Most of these reports have been received from TDU Chapters. If you have local election news please submit it for the next issue.

Stockton Challengers Win

On December 22, the members of Stockton, California Local 439 gave themselves an early Christmas present in the form of a new set of officers, pledged to aggressive representation, organizing and reform. TDU members Dominic Garcia and Terry Toler won the positions of secretary-treasurer and president by solid margins in this 3,300 member local. Of six people on their slate, five won executive board seats.

The election drew a lot of attention in Stockton where the local newspaper, the *Stockton Record*, described it as "bitterly fought," with Secretary-Treasurer Robert Plummer resorting to smear tactics to hold onto his job.

Plummer tried to label his challengers as "socialists," "communists," and even "supporters of the Ayotollah Khomeini!"

Plummer's outrageous tactics backfired because hundreds of members knew Garcia, an 18 year member of Local 439, and Toler was a well-respected shop steward at UPS. Two of the incumbent trustees were so horrified at this smear campaign being conducted in their name that they left the incumbent slate and joined the Toler/Garcia slate.

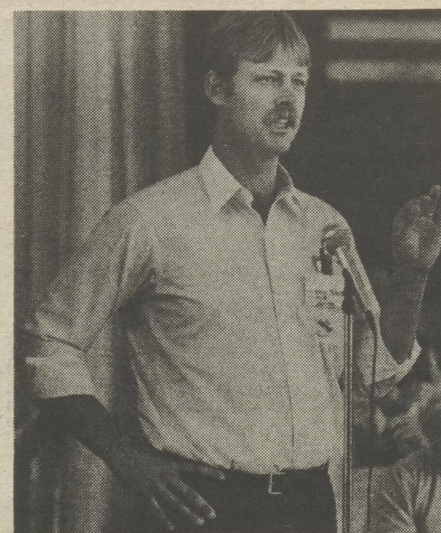
Garcia and Toler responded aggressively, calling Plummer's tactics "McCarthyism" and coming out with a strong program to deal with the

local's lack of organizing, lack of representation, the need to reverse a trend toward decertifications and pledging membership involvement programs and a reform stand inside the Teamsters.

Garcia and Toler were able to stand on their own strong records, both as active leaders at UPS and as people who had fought to open up the local more to its members. They had forced Plummer to reveal where money was being spent, and had been able to correct the problem of some members who were being overcharged on their dues after being hired under two-tiered contracts.

New principal officer Dominic Garcia told *Convoy Dispatch*, "Our concern was for the needs of the members. We never made TDU an issue, Plummer did. He tried to make our affiliation with TDU the main issue in the campaign, but we were victorious because we stuck to the real issues."

Toler and Garcia are taking a cautious approach to their new jobs,



UPS driver Terry Toler, elected president of Stockton, California Local 439.

realizing that they have a lot to learn, and are trying to start by going after the membership and asking for their input (for the first time in years) on how they want their local run.

Members: Dump 70% Clause Slate Sweeps Freight Local

On December 16 the votes were counted in the 5,000 member Local 776 in Harrisburg, Pennsylvania, and the Teamsters for Teamsters (TFT) slate won all 12 executive board and BA positions. In a record membership turnout, the incumbents (the Voice slate) ran third, behind another slate headed by Business Agent Wayne Shugart.

"Send Them a Message"

The TFT slate campaigned on a range of reform issues, one of them being the National Master Freight Agreement, which covers most of the members of Local 776. The local is part of the Central Pennsylvania Supplement, which includes the notorious "70%" clause, where it takes three years to get up to union scale. TFT literature stated: "Now is your chance to send a message, not only to the officers who recommended this contract, but also to the International Union that you are dissatisfied with your supplements and the way they are negotiated. The 70% clause has had a devastating effect on our local..."

According to members we spoke with, the 70% clause and the issue of the right to vote on supplements helped the TFT slate, which had taken a strong stand on this and other contract issues from the start.

Monthly Bulletin

Another asset the TFT had was the *Monthly Bulletin*, a newsletter which was widely read by the membership. It provided good information, news and opinions. It has also been a forum for the TFT, for example when they challenged the other slates to a debate (they refused to accept it).

Some members of the TFT slate are longtime TDU members, while others

are not. Many have been active in past contract campaigns in freight and UPS. The winner of the top job and new president of Local 776 is Tom Griffith, a driver for North Penn Transfer. Others on the slate are from various freight carriers, UPS, and one taxi driver. Defeated president Don Moudy has been in office two terms, and was a member of the national negotiating committee for the NMFA, making him one of the signers of the Central Pennsylvania Supplement.

Good luck to these new officers in this major trucking local.

Ft. Wayne, Ind.

The 3,000 members of Ft. Wayne, Indiana Local 414 elected the Reform Slate headed by Walt Lytle. Incumbent Freeman Busche and six members of the executive board were defeated.

Busche had campaigned largely by attacking TDU, printing smear flyers charging TDU with being financed by communists, Rockefeller and Exxon! The fact that these are complete lies, and the fact that most members of the Lytle slate, including its top candidate, are not members of TDU, did not bother Busche. But these facts did bother the members, who voted in large numbers for a change in leadership.

Reportedly some or all of the defeated officers and agents have been offered management jobs at Consolidated Freightways. One of them is now a dispatcher there. Some CF drivers say the ex-officers have been working for CF for years anyway.

John Hoskins, a CF driver and newly elected trustee of the local, noted that now the new leadership has to prove they are going to operate differently. A point well taken.

Sacramento Local 150

Former Secretary-Treasurer Al Bonilla of Sacramento Local 150 has to feel pretty unpopular these days, after losing to a reform slate led by Business Agent Howard Rush by a four to one margin. The 5,500 member general local has been the scene of a series of battles based on the ineffective and often dictatorial way that Bonilla dealt with the members, office staff, and elected business agents.

The Rush slate was formed by a majority of the elected business agents, and many other interested members who were responding to the widespread dissatisfaction with Bonilla's leadership. They put forward a program based on better representation, shop steward training, and more democracy in the local.

The Local 150 TDU Chapter held a well attended forum to which all candidates were invited (Bonilla declined to attend). After the forum, the Rush slate asked for and got the endorsement of the TDU chapter.

Local 150 members feel that the election of the Rush slate represents a

step forward. TDU chapter co-chair Mike Tobin of Lovatti Brothers Dist. told *CD*, "We don't feel that the Rush slate has all the answers to the problems facing our local, but we do feel that they will be more open to the members than Bonilla ever was. Most important, we intend to keep building TDU here because that's our best protection."

Two TDU members ran with the Rush slate: Gerald Paradee of Consolidated Freightways, who won as a trustee, and Harry Stephens of UPS who made a respectable showing despite a last minute entry in the race, beating out two of the incumbent trustees but failing to gain election. In all, six of the Rush slate won election to the new executive board, and they took six of the ten BA spots.

As new trustee Gerald Paradee put it, "I'm here to see that the union does its job and that the members really have some say in running their local. After all, that's what TDU is all about, isn't it?"

Chicago Local 705

On November 18, 1984 Local 705 members re-elected Louis Peick and his incumbent slate to another term in office. But, for the first time in years, the election was far from a runaway.

Rank and File Slate candidates Bob Reilly, Ben Allesia, Mike Belzer, and Larry Vallone carried an average of 25% of the vote. This was double the vote the last opposition slate got in 1981. Peick lost 1,000 votes since the 1981 results.

The real message of the election lay in the fact that only 20% of the local's membership came out to vote. Of

those, nearly 1,000 people cast their votes for the Rank and File Slate, sending a message to Peick and his associates that confidence in the incumbent's leadership is at a new low.

Rank and File Slate candidates and supporters have stated that they will continue to push for elected stewards and a stewards' council to give the members a voice in the local, along with organizing for a decent freight contract this year.

In a local union like this, where 80% of the 17,000 members feel too afraid or powerless to even come down to vote, establishing a strong and credible presence is the first crucial step to making the big changes necessary. And that is just what the Rank and File Slate has done in Chicago.

Editorial by the TDU International Steering Committee

Stop the Raids – We Need Organizing

In January of 1984 Jackie Presser caused an uproar by telling a reporter that Mexicans and Puerto Ricans constitute "a threat to the national security" of this country. But that doesn't stop him from wanting their dues money. Now he is launching a raid against the United Farm Workers of America (UFW), an entire union of latinos!

This is just the latest in a wave of attacks on other unions by Presser. After failing to get the International Typographical Union (ITU) to merge with the Teamsters he has begun raiding their members in Ohio and elsewhere to try and split the ITU up. Also in Ohio, Presser has spent almost \$600,000 competing with public employee unions in a year long organizing drive which has organized virtually no one.

Presser has even praised Reagan's busting of the air traffic controllers' strike and firing of striking PATCO members, saying it was the right thing to do!

Organize Our Own Jurisdiction

All of this is very important to working Teamsters. At a time when

organized labor is under a severe attack, our union is coming off as a renegade, ripping off other unions. How can we hope for solidarity with the rest of the labor movement while Presser is raiding them?

This is not to imply that we shouldn't be organizing. We certainly should, but rather than raiding other unions we need to begin again organizing in such major Teamster jurisdictions as trucking, warehousing, cannery, and construction. These are the backbone of our union. If we are to make our union grow and return to full vigor we should start with the backbone.

Wars in the Fields

In the case of the UFW, this question is even closer because of the long and bitter history between these unions. In the early 1970's the Teamsters became the shame of the labor movement by launching an attack on the young UFW. Goons were deployed to attack striking farm workers. Secret deals were cut with the growers.

In one such case the Teamsters made a sweetheart deal covering 30,000 workers, without ever contacting or organizing a single one of them, only their employers, the growers. Eventually Teamster President Frank Fitzsimmons had to admit defeat and in 1977 signed a pact with the farm workers agreeing to stay out of the fields.

Now Presser has decided to try again. In September he announced that he would not renew the pact, and would begin trying once again to organize farm workers, while claiming that he would avoid confrontation with the UFW.

But confrontation is inevitable in this situation. In a recent meeting with Teamster cannery workers, UFW President Cesar Chavez explained that his union is more than willing to negotiate a renewal of the pact, and that they will regard any organizing of farm workers by the Teamsters as a raid.

Learning from the Past

Presser is not learning from the past. He is not just raiding another union, he is taking on a movement

when he attacks the UFW.

After decades of struggling to unionize, farm workers created their own union in the 1960's: a union with many lessons for the labor movement. It fought and won the support of tens of millions of people through the grape boycott. Its example sparked new movements in the canneries and in other latino industries and communities throughout the U.S.

In the first years of TDU's existence, before the 1977 IBT/UFW pact, we supported farm workers and their union. We still do. The UFW has its share of weaknesses and problems, but a Teamster intervention in the fields is not the answer to those problems.

We are paying for Presser's wars. We are losing membership in the basic Teamster jurisdictions while wasting our organizing money on attacking the whole rest of the labor movement. We say that it is time to stop these policies and put together a real organizing effort to build our union. We say that it is time to stop the raids on the farm workers!

Grand Rapids Local 406

The Service Group Slate, headed by Mark Crane and Philip Viviano, won control of Grand Rapids Local 406 and took office the first of the year. Local 406 is the third largest in Michigan, with some 8,000 members.

But according to Bob Coy, head of Michigan Joint Council 43, it's "vote till you get it right." He says there should be a new election, based on charges filed by the defeated incumbents! They ran the election then charged the ballots were not mailed out properly. At least two of the former full time agents or officers are already working for management, so they seem to know where their future lies.

The Service Group Slate won four of the seven positions, including the president and secretary-treasurer posts. They campaigned largely on improving representation of the members, and fired the former BAs upon taking office.

Cleveland Local 407

The 5,000 member Truck Drivers Union Local 407 in Cleveland elected the incumbent slate in December. This would not normally be much news, but the incumbents had been clearly split in the past between a grouping completely loyal to Jackie Presser and another one more independent. They were expected to oppose each other in the election, with president and principal officer Sam Theodus heading one ticket and certain other officers who are close followers of Presser heading another.

It didn't happen. Except for one especially pro-Presser trustee, who

ran against Theodus but lost badly, the incumbents ran a united slate for executive board and five BA spots.

Top challengers included TDU candidates Mike Friedman and Sandy Pope. Friedman lost by just 63 votes for business agent, and Pope lost by just 36 for trustee. They topped the other challengers, who did not run a slate but mainly as individuals or small independent groupings.

Lancaster Local 771

In a Department of Labor ordered election re-run, Ken Laukhaff defeated incumbent Harry Himmelwright by a 619-531 margin for the office of President in Lancaster, Pennsylvania Local 771.

Laukhaff had resigned his position as Vice President in 1982 after a dispute with Lee Via, Secretary-Treasurer and principal officer of Local 771. After being defeated in the regularly scheduled election in 1983, Laukhaff successfully challenged the results which ended in the Department of Labor re-run.

Three days after Laukhaff's victory, Via hired the defeated Himmelwright as an organizer, reportedly at the same salary he had as President.

Burt Wiglesworth, Local 771 member and Yellow Freight employee, said, "Via's hiring of Himmelwright has subverted the whole election process and undermined the will of the membership. Via's actions only add to a loss of confidence in his leadership here in the local and throughout the Central Pennsylvania area. Even his own supporters aren't condoning this move."

Via has been informed that he is the target of a federal grand jury probe of alleged obstruction of justice, embez-

zlement and mail fraud.

Wiglesworth went on to say, "It's more important than ever for the rank and file Teamsters in this area to begin showing our strength. Mr. Via was instrumental in negotiating a 70% wage scale for new hires in our supplemental agreement and we've got to let him and the rest of the negotiating committee know that we won't allow any more special deals with the companies in this area."

Richmond, Va. Local 322

Local 322 TDU members made a strong showing as part of a reform slate. This is the first time that a reform slate has opposed the incumbents in at least ten years, and TDUer James Dickerson and others on the slate got between 30% and 40% of the votes cast.

Freight Lines

Presser: No Problem With Job Security.

Question: One of the highest priorities of the UAW negotiators this year, after their experience in the last couple of years, was job security. Could you speculate that that could be one of the Teamsters' major issues?

Presser: We have job security in our contract. We have full job security. I don't know what language they changed in the UAW but we've never had any problem with job security.

—From *Heavy Duty Trucking*, December, 1984.

Tough Talk Against Productivity Harassment.

In response to increasing productivity harassment at the Red Star Express terminal, Hartford Local 671 Business Agent James Robidoux wrote a special notice blasting the company and warning that if they continued they would have "a fight on their hands."

"Our people," the notice states, "are professionals. They do more than a fair day's work for a fair day's pay. To arbitrarily attempt to speed them up, to try and solve the company's problems, is both unfair and uncontractual and we will never accept that."

"It's no secret that we have been retreating for a long time in the trucking industry. With deregulation, contract concessions and the state of the industry in general, a lot of members have been wondering where we stop. Well, it's time to stop wondering. We will not put up with the harassment, intimidation or abuse. Let the company make no mistake. We are drawing the line right here and — with unity — we can maintain the dignity and respect we so rightfully deserve."

Nationally, members at McLean, Roadway, UPS and many others are facing intimidation and harassment day in and day out. Why don't more locals take a stand like this? More important, why doesn't the International Union? Hopefully, more locals will take a stand in the upcoming contract negotiations and Local 671 will back up this excellent notice with action.

TDU Meets

Albany Area TDU
Sunday, January 27
9:30 am
Quarry's Steakhouse
Rt. 81 (1 mile west of Rt. 9W)
Coxsackie, NY
NY State Thruway exit 21B

8 Cities Area Teamsters
Saturday, February 9
1 pm
Quality Inn
500 Centerville Rd.
Lancaster, PA
Centerville exit off of Rt. 30

Los Angeles Area TDU
Sunday, January 13
12 noon
call (818)966-7154 for location

Madison, WI Teamsters
Saturday, January 12
10 am
437 E. Bluff
Madison, WI
Off Northport Drive

Memphis Area TDU
Saturday, February 2
3 pm
Denny's Restaurant
2860 Airway

New York and New Jersey Area
Sunday, January 27
11 am
at the Corkman's Club
3301 Greenpoint Ave.
Maspeth, NY

Northwest Ohio TDU
Tuesday, January 15
7 pm
Frisch's Restaurant
I-75 and Rt. 20 in Perrysburg

New York City Area Educational Conferences

Two workshops will be offered at each location:

- **Your Legal Rights as a Teamster**
- **How to Use the Grievance Procedure**

Saturday, January 26
10 am - 4 pm
at Farmingdale Bowling Alley
999 Conklin St.
Farmingdale, NY
½ mile west of Rt. 110

Sunday, January 27
11 am - 4 pm
at the Corkman's Club
3301 Greenpoint Ave.
Maspeth, NY

Is your Chapter having a meeting? If so, let us know ahead of time so that it will be in **Convoy Dispatch**.

Want a meeting in your area? Let the office know and we'll help set one up.

Experts Believe Standards are for the Birds but:

Union Agrees to Drug Tests

An agreement recently adopted by the International Union and Trucking Management Inc. gives freight employers the power to force employees to submit to drug tests. The policy is intended to stop what the union and the freight companies see as a widespread drug abuse problem in the industry, particularly of marijuana. The problem is that the union may have agreed to a policy that uses inaccurate testing procedures and invades the privacy of Teamsters.

Any worker can be ordered to undergo the testing at any time while on the job. No specific evidence is required to justify compelling an employee to give the blood and urine samples. The company only needs a "reason to believe" that the employee is intoxicated, and the order is supposed to be given in the presence of a steward, "if available." Refusing to submit to the tests is considered an admission of guilt.

Standards for the Birds

The agreement stipulates that the testing of the blood and urine samples is to be done according to standards set by National Medical Services (NMS) of Willow Grove, Pennsylvania. A number of chemical and medical experts have spoken out against the standards used by NMS laboratories, as well as the reliability of testing for marijuana intoxication in general.

Arthur McBay, chief toxicologist for the state of North Carolina, states that, "The standards used in these tests are for the birds. This laboratory has never proven its ability to positively show marijuana intoxication with these standards."

Chemical testing of THC, the active chemical in marijuana, is still an inexact science at best. "The burden of proof should be on the testing laboratory, not on the employee,"

McBay says. "Even if the laboratory can find THC concentrations in the samples, they have no way of determining how long it has been since the marijuana was smoked."

In addition to using inaccurate testing methods, this new policy opens up the potential for the violation of freight Teamsters' civil rights. "There are all kinds of variables in these tests," states George Washington, a Detroit attorney who has handled numerous cases involving similar drug tests. "Positive results in a blood or urine test do not necessarily mean that the employee was intoxicated on the

job. For all they know, positive results in these tests could mean that the employee was in the same room as someone else smoking marijuana the night before the samples were taken."

Such inaccuracies in the testing mean that employees could be fired for activities while off the job, on their own time.

The International Union's agreement to adopt these measures was a drastic move. The civil rights of all freight Teamsters are now in jeopardy. If you have any information on this new policy being used where you work, please contact the TDU office.

Vroman Workers Fight for Equality

One year ago the Teamster employees at Vroman Foods in Toledo, Ohio battled the union-busting moves of their company, hired security goons, and scabs in a hard fought strike for a better contract. Vroman won the first battle by imposing a concessionary contract on the employees. But they didn't succeed in breaking the union or the fighting spirit of some of the Vroman workers.

The second battle is now going to take place in Federal District Court. Nineteen women filed a sexual discrimination suit against Vroman in November. A court date has yet to be set.

The suit was filed on two principal grounds. First, Vroman Foods has for years engaged in hiring, pay, and promotional practices which discriminate against women strictly on the basis of sex. Second, the women are charging that the contract settlement arrived at last January contained immediate wage concessions and pay

rates, "based upon a conscious and pervasive intent to discriminate on the basis of sex."

In 1974, Vroman settled out of court in another sex discrimination suit brought by women employees.

The current contract calls for a giveback of \$2.91 per hour for "Class B" jobs, which are all women. "Class A" jobs, at the time exclusively male, gave up concessions of only \$1.23 per hour.

The women's suit also alleges that Class B workers have, on a "spot use," temporary basis, worked Class A jobs for all or part of a shift, but received only Class B pay. Vroman has also established a practice of hiring men off the street for the better paying Class A jobs while requiring that high seniority women employees go through an in-house 90 day training program.

"Equal pay for equal work has been on the books for American businesses for the last 20 years," said Sheri Hutchinson, Local 361 member and one of the plaintiffs. "It's time Toledo employers were forced to live up to the law."

The UPS Rank & File Daily Log Book

Keep the record straight with the charts in this durable, spiral-bound notebook. Different books for package car, feeder drivers and inside employees help you keep track of all the details that affect your job at UPS.

Write better grievances, and be prepared with the facts at grievance hearings. Each book lasts three months and provides ample room for your own notes.

The Daily Logbook costs \$2.50. (\$2.00 for 5 or more copies.)

I would like _____ copies for package car, _____ for inside employees. (We are temporarily out of feeder driver log books.)



Name _____ Address _____ Local# _____
City _____ State _____ Zip _____ Phone() _____

Send your order to: TDU, Box 10128, Detroit, MI 48210

UPS Local Vote Counts

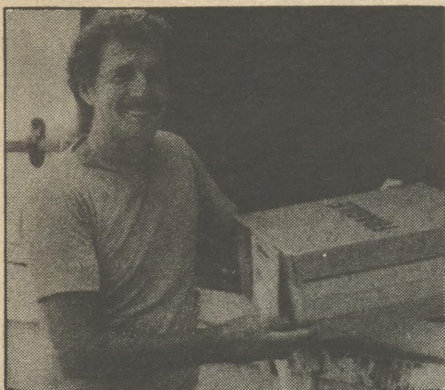
Last issue *Convoy Dispatch* printed the vote counts on the UPS contract from 18 local unions. The International Union has the results broken down for all local unions. This information should be available to all UPS members. Request the results for your local from the International and your local union.

Results have been obtained for the three Northern New England states. The contract was ratified in all three locals. The results are:

Maine: 206 to 100
New Hampshire: 165 to 76
Vermont: 100 to 50

Although official results have not been obtained, Hickory, North Carolina Local 61, in one of the most anti-union states in the country, reportedly voted the contract down.

We will be printing these and other results as we receive them.



Bob Bowlds, Local 89 UPS Teamster, before returning to work this fall.

NLRB Orders UPS to Reinstate Fired Teamster

Driver Wins Job, Backpay

In 1965 Bob Bowlds first went to work for United Parcel Service. But since August 28, 1979 he's been making a living any way that he can, usually forced to drive up to 70 hours a week for non-union outfits. Why? Because UPS fired him.

There is a happy ending to this story, because on November 19 Bowlds reported back to his job as a feeder

driver out of Owensboro, Kentucky. After being off work for over five years, during which time UPS used every appeal in the book, Bowlds finally won his job back through the National Labor Relations Board (NLRB).

"It will be a joy to go back," Bowlds told us before returning to work, "with a little smile on my face, knowing that UPS didn't beat me." When he had been back on the job for a week Bowlds noted that the company was being "extremely nice" towards him.

The NLRB ruled that he would be reinstated with full back pay, benefits, and 20% interest. The full amount will be complicated to compute, Bowlds says, but after five years it will of course be substantial.

Active in the Union

Bob Bowlds is the kind of employee that UPS doesn't seem to like: he has been a good union member ever since he started at UPS. He was a steward in his center, and also a member of the Local 710 contract negotiating committee when Kentucky UPS Teamsters were in that Chicago-based local.

When union members decided in 1975 that they wanted to switch into Kentucky Local 89 Bob Bowlds made up a petition asking that they be allowed to change and it was accepted by the International Union. He recalls that, at that time, they didn't know the pension complications this would create for some members.

Bowlds became active in TDU, PROD and UPSurge, and fondly remembers attending the large regional UPS workers meeting in 1976.

JAC Was Blind

When Bowlds was fired (for allegedly falsifying logbooks) the Joint Area Committee was completely blind to the charges despite the testimony of many fellow drivers that UPS was out to get him. Winning his job back has been a long difficult road due to UPS appealing the case at every step.

Early last year UPS, emboldened by the NLRB's decision in the *Olin Corp.* case (where the Board deferred to the arbitrator's decision), continued their appeals all the way to the Supreme Court. On October 1, 1984 the Court denied their last appeal, paving the way for Bowlds' reinstatement.

Bowlds points out that many good union members have stuck with him throughout this difficult time. "Whenever I would win the case at some level, it would get in the news and people would call and congratulate me, saying they were glad that I beat UPS. I told them I am not out to beat UPS, just to keep them from beating me."

About going back to work Bowlds said that, "It feels good to finally win. I feel that justice has been served." All of us should feel good about this victory for a good union member who has been through a lot to win justice. Bob, we are glad to have you back!

MICHIGAN DISTRICT	
Package Center Analysis - to Recover 68c Per Hour	
Based on September Cost	
On Road Stops	
Driver Average Hourly Rate - On Road Driving	13.96
Plus: 68c Per Hour	.68
New Average Hourly Rate	14.64
Total On-Road Payroll	76881
+ New Average Hourly Rate	14.64
Hours needed to maintain same payroll cost	5251
Total Stops-September, 1984	74507
+ Hours needed to recover 68c	5251
Stops per On Road Hours to recover 68c	14.19
Less: Current Stops Per On Road Hour	13.53
Additional Stops Per Hour needed.	.66
Pre-Delivery	10.98
Pre-Delivery Average Hourly Rate	.68
Per Hour	11.66

Who pays for the wage increase? Not UPS! As the UPS management document reprinted above illustrates, UPS already has plans in motion to get back the raise UPS Teamsters just received by escalating their productivity harassment. This memo is from Michigan but you can bet your bonus that one exists for your district as well.

Getting a raise is great but how much is it worth when the company turns around and takes it back through intimidation?

Hang UPS News of UPS Workers

UPS Issues Bonds to Finance Louisville Air Facility.

According to the *Wall Street Journal*, UPS has sold \$165 million in industrial issue bonds to finance construction of a Next Day Air facility in Louisville, Kentucky. The Kentucky Development Finance Authority issued the bonds, and UPS has guaranteed repayment.

The bonds were quickly bought up, and Moody's Investors Service rated them "Triple A."

Why UPS needed the bond issue at all is unclear, but the state of Kentucky has been eager to please. When it is completed the air facility will be three stories high and employ as many as 2,000 part-time workers. The International has been eager to please too: every one of these part-timers will work under the same substandard contract that Louisville air workers presently have. This deal was cut in 1982 and signed by Jack Yager. Under it, there is no provision for breaks, no hourly guarantee, and no set starting time!

Why were concessions like these made to a company that Moody's describes as having a "competitive cost structure, dominant position within its industry and superior financial measurements?" For UPS, the future looks very bright at its Louisville air facility. But it is somewhat dimmer for the members who will be working under these conditions.

Injured? Pregnant? Forget About Your Bonus.

Remember reading the contract ballot and wondering what the phrase "actively on the payroll" meant? Well, many Teamsters are finding out the hard way that "actively on the payroll" was a clause inserted by UPS and agreed to by Presser that would allow them to exclude workers on worker's comp, maternity leave or other leaves of absence from the \$1,000 and \$500 bonus.

Was the International hoodwinked by UPS on this issue? No, a Titan message dated August 23, 1984 explains the stipulation in detail, stating that employees would only get the bonus if they had worked sometime in 1984 before September 4 and returned to work for two weeks before the end of the year.

Despite the Titan message, most affected members found out about this gift to UPS when they were told that they would get no bonus. Why wasn't it explained in the balloting materials?

More important: Why has the union worked hand in hand with UPS to deny certain members the bonus they deserve, and in effect helped UPS intimidate and harass members out on worker's comp and other bona fide leaves of absence? Could it be that the International Union thinks more about their own welfare than the members they are supposed to protect?

We think it is time for a change in the way our International works. If you agree, join TDU today.

Drivers' Unity Beats Intimidation Over Methods.

Bloomington, Illinois UPS management thought it was business as usual when they gave a center driver a warning letter for alleged methods violations. After riding a Bloomington driver for 30 days they wrote him up, claiming lack of a sense of urgency, failure to get customer contact and taking too much personal time.

The sad fact is that warning letters like these are often allowed to stand by the union.

Bloomington management had another thing coming, though, when TDU members and other drivers went to bat for this driver. They immediately sent letters of support to the union hall and UPS in Greenwich, Conn. Drivers were also willing to sign statements revealing the inconsistencies in management's use of the supposedly universal methods.

This hard work and unity paid off when Local 710 stood behind the driver and had the letter rescinded. As Bloomington driver Gerry Green pointed out, "If you hang together, you'll be able to accomplish some of your goals. If we had just sat on our hands, they would have flushed him right out the door." A little unity goes a long way.

UPS and IBT Working Together—to Slander TDU.

A slander sheet titled "Setting the Record Straight" has appeared in many midwestern centers as well as the New York City area. In both Chicago and New York, supervisors have been observed posting the sheet on bulletin boards. Local 804 TDUs have warned UPS to stop the practice via a letter from their attorney.

The sheet originally appeared two years ago and is written by Jim Reese, a member of Presser's goon squad, B.L.A.S.T. Funny how UPS and Presser work together to spread lies about TDU.

by Emil Abate
International Steering Committee
Local 853
Oakland, California

Standoff in Grocery Contract Tug of War

Safeway, Lucky Stores and Alpha-Beta are continuing their campaign to undercut one of the best grocery contracts in the country. Since the Northern California Teamster grocery warehouse contract expired August 1, 1984, the companies have used tactics to try and divide the eight Teamster locals involved, create membership confusion and stall contract talks.

Presently there is still no agreement and negotiations are on hold. The locals say they are prepared to strike to protect the contract.

In Sacramento Local 150 members recently booted Secretary-Treasurer Al Bonilla whose weak leadership led to a concession contract at the Safeway warehouse. Bonilla was defeated in the election by the Howard Rush slate. The slate was supported by the Sacramento TDU chapter, and TDU member Gerald Paradee won a position as Trustee.

"Shop Floor Psychological Warfare"

The employer strategy actually started in early 1984 when Safeway singled out Local 150 and started rumors that their Sacramento Distribution Center would be closed or leased out. The rumors continued for six months (amounting to what one driver called "shop floor psychological warfare"), and in late July, a few days before the contract expired, Safeway announced the lease of the warehouse to a New Jersey firm called Transco, who would operate as MountainSide Transport.

Transco sat down at the bargaining table and demanded a concession contract separate from the Master Agreement. After months of confusion, fear for their jobs, and weak leadership from Local 150, the drivers voted for a

one year open-ended contract that includes mileage pay of 31c per mile over 300 miles and a cut in sick days from 13 to 5. Also here, the warehouse ILWU Local 17 signed a 5-year pact with a phased-in \$3 per hour cut.

Then Safeway went after the Master Agreement. On Sept 5 the Food Employers Council (representing the 3 chains) proposed a contract to the locals which would "provide economic and operational parity with the Transco agreement." Upon hearing the news, workers at the large Richmond center staged a week-long overtime boycott. (One of the best features of this contract is the absence of mandatory

Safeway ignored it and appealed the decision to Federal District Court in San Francisco. They continue to operate the facility as non-union and Local 853 has the option of conducting an unfair labor practice strike.

Not to be outdone, Lucky Stores got into the act in April by unilaterally instituting a new productivity program at its Vacaville center represented by Local 490. Lucky violated the contract by this action and doubled their dare by refusing to arbitrate.

Lucky workers responded by assessing themselves \$100 each to pay for their own productivity study conducted by a Stanford University Industrial

The resolve of over 2,000 Northern California Teamster warehouse workers and drivers will be tested in the coming year.

overtime.) Safeway threatened to use supervisors and scabs to work the overtime, which could have escalated the situation to a walkout. Local 315 BAs Al Alfonso and Ron Teninty worked out an agreement: FEC removes the Transco "parity" proposals and the workers go back to overtime. Safeway's tactic did not work and bargaining went back to square one.

Safeway had also taken aim at Local 853 in early 1984 by opening up a non-union warehouse ten miles from Local 853's variety warehouse. A court order was necessary to force Safeway to arbitrate the jurisdictional issue. After Local 853 won the arbitration,

Engineer and also doing informational leafletting at Lucky's supermarkets. To this day the tougher standards are still in force even though the Stanford study concluded that the standards were unsafe and hazardous to the workers' health. If the program should ever go to arbitration, the Stanford study should provide credible evidence.

The most recent development has been the entrance of Fleming Foods, the nation's largest wholesaler in terms of the number of stores supplied. In November Fleming purchased the Alpha-Beta distribution center in Milpitas (which is under the Master

Agreement) and the United Grocers warehouse in Richmond (which has something of a "me too" agreement to the Master). In addition Fleming already owns warehouses in Fremont and Oakland. Clearly Fleming would not need all those facilities and was trying to pull a maneuver like Transco in Sacramento.

International Approves Pickets

Indeed Fleming was taking a hard line until the locals' threat to put up picket lines (with the International's approval!) at its warehouses in Oregon, Missouri and Oklahoma became real. Fleming took the threat seriously enough to recognize the union at Richmond and Milpitas, extend those contracts until April 1, 1985, and agree to Red Line language for any change of operations.

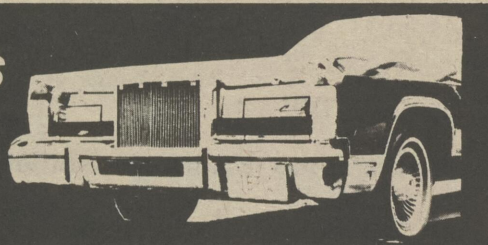
The Union's strategy at this point appears to be to resume negotiating in April when Southern California negotiations commence. This could provide extra leverage against the chain stores. Up until now they have been able to fend off concessions (with the exception of Sacramento) through various tactics:

- A periodic and colorful newsletter to keep the ranks informed.
- A detailed plan for a strike and boycott (of Safeway).
- Rank and file actions such as the overtime action in Local 315 and the \$100 assessment in Local 490.

At this point the confrontation is at a stalemate. Both sides do not want a strike, and both sides are determined not to give in on the issue of concessions. At some point one side is going to give in.

The resolve of over 2,000 northern California Teamster warehouse workers and drivers, the strategy and leadership of the locals, and the Western Conference will be tested in the coming year.

**Your Dues
Pay for
This?**



Dickie Fitz and Friends Indicted in Michigan Kickback Scam.

The U.S. Attorney in Detroit has filed a 40 page indictment detailing kickbacks to three trustees and employees of the Michigan Conference of Teamsters Health Fund from two associates of Allen Dorfman, who was "an agent and counsel of the fund" before his gangland style murder.

To obtain contracts from the fund, Terrance Porter and Roger Towne gave kickbacks to Dickie Fitzsimmons, a trustee of the fund until 1980, Chuckie Collins, who was executive director of the fund until August 1983, and to Sol Schwartz, a manager of Dorfman's companies which provided services for the fund. These proven kickbacks included at least \$17,000 in cash, free trips to resorts in LaCosta, California, the Bahamas, Miami and Arizona, and promises of future employment.

The indictment also charges an attempt to cover up the conspiracy by lying to grand juries and federal investigators. Although two false statements under oath by International Vice President Bobby Holmes are listed among the "overt acts" in the conspiracy, Holmes is not included in the indictment. The indictment repeatedly notes that the contracts were approved by the fund trustees "upon the motion of Robert Holmes."

During the period of the fund's association with Dorfman, his associates and companies they controlled, the fund lost millions of dollars. This association was ended not by a decision of Holmes and the other fund trustees, but by Dorfman's indictment and subsequent murder, by continuing federal investigations and by continued publicity and pressure from the Detroit TDU chapter and its paper, *Rank & File Speaks*.

Bobby Holmes, Bob Coy (head of Joint Council 43) and the employer

trustees have presumably not been indicted because Fitzsimmons and Collins would rather risk jail than risk ending up like Dorfman. Anyone who believes that Bobby Holmes was unaware the fund was being ripped off by mobsters should contact TDU immediately: we would like to sell you the Brooklyn Bridge.

No Tears for Convicted Santa Barbara Official.

Not many tears are being shed in Santa Barbara, California Local 186 after their Secretary-Treasurer, Martin Fry, was forced to leave his union post in November, thanks to the Labor-Management Racketeering Act which passed on October 12, 1984.

For years Local 186 members have fought to get decent representation. "Fry told us that he no longer wanted to represent us because he couldn't communicate with Hispanics and his BAs were too busy for us," said Sacramento Vargas, a shop steward at Channel Disposal.

Fry was convicted in 1982 of arson, conspiracy, embezzlement of union funds for illegal activities and racketeering. Although he was sentenced to 30 months in prison he is still appealing his case three years later and has yet to serve a day in jail. The new law requires union officials, management labor relations people and pension fund officers to leave office and employment upon conviction.

Ray Gonzales, former Local 186 BA who was fired by Martin Fry and is now a leader of the rank and file movement in the local, knows that much needs to be done. "This will bar him (Fry) from even playing custodian at the union," said Gonzales, "but it is not doing us any good if Mr. Fry is going to leave a hand-picked crone running the office."

In fact, this is just what has happened in the local, as former BA Greg Boverson has been appointed to fill Fry's shoes. Many members believe that Fry is still calling the shots from behind the scenes.

The rank and file is not satisfied with a substitute who will carry on Fry's racist and undemocratic tradition. They are pressing for an independent audit of the local's finances, and working to build a movement of members to regain control of their union.

Meanwhile, Martin Fry has refused to answer local newspapers' questions about the situation of the case unless he is paid for the information! Some people never learn.

Editorial por el Comité Directivo de TDU

¡Basta con las Redadas!

SECCIÓN EN ESPAÑOL

Al principio de 1984 el Sr. Jackie Presser declaró en una conferencia de prensa que los inmigrantes Mexicanos y Puertorriqueños constituían una "amenaza para la seguridad nacional de los Estados Unidos." Sin embargo está esta opinión errónea y racista no lo detuvo en dar su permiso para que el

sindicato de Teamsters empezará a robar membresía de la unión de campesinos — UFW, un sindicato de Latinos.

Este no es el único ejemplo de la política de Presser. Después de haber fracasado en dominar la International Typographical Union — ITU, el

Presser ha seguido en tratar de robar su membresía y derrotarla completamente. Además, en Ohio este tipo ha perdido \$600,000 en tratar de robar también la membresía de los sindicatos de obreros públicos con el resultado de otro fracaso.

Este, Presidente del más grande sindicato en los EEUU aplaudió a las acciones del Presidente Reagan en derrotar a la unión de dirigentes de control aeronáutico — PATCO.

¿Que Implica Todo Esto?

En un periodo en que el pueblo trabajador sufre graves ataques, el sindicato nuestro ha decidido ser enemigo de otras uniones. Mientras Presser continúa en ser ladrón, no habrá cooperación ni solidaridad entre los Teamsters y el resto del movimiento laboral.

En vez de robar debemos de organizar. Primero hay que volver a organizar en las industrias básicas de los Teamsters como el transporte, las almacenes, las canerías y la construcción, donde se ha perdido membresía. Estas constituyen la espina dorsal de los Teamsters y en las que Presser ha permitido que los jefes industriales roban nuestra membresía.

La Batalla en el Campo

El conflicto entre la unión de campesinos y los Teamsters tiene raíces largas y sangrientas. En los principios de los setentas los Teamsters lanzaron una campaña de ataques en contra de los campesinos. Se utilizaban gorilas y se hacían acuerdos secretos con los jefes agrícolas.

En un caso se arregló un contrato cubriendo 30,000 campesinos sin haber consultado con ninguno de ellos. Al fin en 1977 el Presidente actual de Teamsters, Frank Fitzsimmons tuvo que aceptar su fracaso y firmó un pacto de paz con los campesinos.

El pacto duró siete años. En Septiembre de 1984, Presser decidió no renegociar el pacto y dio permiso para in-

iciar el robo. Aunque Presser, tratando no repetir los errores de Fitzsimmons, ha dicho que no quiere confrontaciones con los campesinos no parece que podrá escaparlas.

En Diciembre de 1984 el Presidente de los campesinos, Sr. Cesar Chavez, le explicó a un grupo de caneros Teamsters la política de la UFW. Dijo que los campesinos preferían renegociar el pacto pero que se entenderá cualesquiera maniobras hechas por los Teamsters en el campo como un ataque directo.

Lecciones del Pasado

Tanto como llegó el Fitzsimmons a reconocer que la UFW representa no solamente un sindicato sino que un movimiento también parece que el Sr. Presser tendrá que aprenderlo.

Después de décadas de luchar, los campesinos realizaron su propio sindicato. Pidieron y recibieron el apoyo de millones de personas en el boicot nacional de uvas. Además la UFW es sindicato de Latinos dirigido por Latinos, el primero en el país. Ha servido como ejemplo para obreros Latinos en otras industrias y para todo el pueblo Latino.

Quizás tenga sus debilidades o problemas internos la UFW pero la intervención de los Teamsters no ofrece ninguna resolución. Los Teamsters por una Unión Democrática — TDU, tiene que re-afirmar su solidaridad con los campesinos como lo hizo en su juventud.

Nuestro sindicato y nuestro dinero se utilizan para pelear las guerras de Presser en contra del resto del movimiento laboral. Se pierden membresía y contratos en las industrias donde históricamente hemos estado fuerte. Es una política bancarrota la de Presser. Hay que detener los ladrones de él e iniciar una verdadera campaña de organizar. ¡Ya basta con el robo en el campo! ¡Solidaridad con la Unión de Campesinos!



Carhaulers Hit Hard by Two-Tier Wages

The 1982 Carhaul Contract contained an innocent little phrase allowing negotiation of entry level wages for new hires. A year later the union and industry dropped a bomb on carhauleders: wages for yard new hires would be set \$4 below scale permanently. Despite nationwide protests from local unions and members, the deal stuck. In just two years, the effect has been widespread, hitting all carhauleders.

Three new operations have been set up by Complete Auto Transit to haul GM cars in Wentzville, Missouri; Moraine, Ohio; and Shreveport, Louisiana. To handle yard work, Complete's parent, Ryder Systems, set up a supposedly separate subsidiary, TSI, and hired new employees to handle the work at lower wages. Carhauleders were denied transfer opportunities to the new work, despite contract guarantees.

When Ryder set up a new subsidiary, American Rail Handling, to bid for work loading cars on the rail in

Detroit, its low bid was based on the fact that the new employees would be paid \$4/hour less. The Local 299 members previously doing the work faced a choice of working below scale or being put out of a job, even though they did the same work day after day.

At Wayne Car Releasing, which does the yard work at the Wayne, Michigan Ford Assembly plant, Local 299 members are being forced to work tremendous overtime. The company does not want to call in a number of employees who have been on long term layoff. In June a number of employees will retire at the same time that some employees lose their seniority rights because they have been off over three years. The company will then hire new employees at the low rate and members with 8 years in the industry will be on the street.

Carhauleders are working hard to eliminate the two-tier wage, and this should be a top priority in the upcoming negotiations.

Keep the Rank & File Informed!

For just a few dollars each month, you can get a regular bundle of **Convoy Dispatch** from TDU. Subscribe today and we'll start your bundle subscription with the next issue. You'll be billed for future bundles. Just \$3 for 10, \$4 for 20, \$5 for 50, and \$9 for 100. Remember, knowledge is power, and **Convoy Dispatch** is the only reliable source of Teamster news.

Name _____ Local Union # _____

Address _____

City _____ State/Prov. _____ Zip _____

Phone _____ Company _____

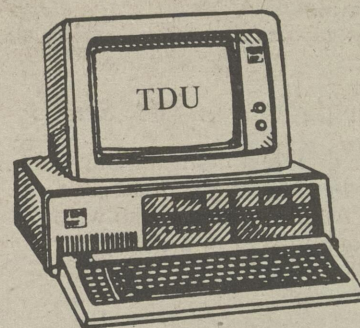
City ☐ Road ☐ Dock ☐ Warehouse ☐ Other ☐

Bundle size: ☐ 10 (\$3) ☐ 20 (\$4) ☐ 50 (\$5) ☐ 100 (\$9)

Return to: TDU, P.O. Box 10128, Detroit, Michigan 48210

(Names are kept confidential from employers and union officials.)

Help the TDU Computer Fund!



Last August several TDU members got together and suggested to the National Office that it was about time to get a computer. Everyone agreed this was a great idea, but also knew that there were not sufficient funds to buy a computer that would likely cost about \$3,000.

So a Computer Fund was established and responsibility taken on by the Central Iowa Chapter to raise the needed money. The UPS contract organizing and TDU Convention slowed down our efforts during the fall, but nevertheless close to \$1,000 has been raised. To reach our goal we have decided to go public and ask for everyone's support.

We urge all members to give whatever they can to the fund. Please send your contribution today to the Central Iowa TDU Chapter, 1308 61st St., Des Moines, Iowa.

Make your check or money order payable to the TDU Computer Fund. We need your help in building a strong rank and file organization.

Contract Meetings, Petitions Put on the Heat

Pressure Builds on Contract

Across the country members and their locals have been speaking out on the upcoming carhaul contract talks, and the pressure has had some effect. An official involved in compiling the proposals from all the locals reports that 90% came out strongly against contract rewrites without membership approval. These deals resulted in the imposition of running mile pay schemes in the East and Central-Southern in the last two years.

The National and Conference Negotiating Committees have been named and there are plenty of good, strong BAs from good locals. But there are also lots of officers who have a proven record of selling us out on the grievance committees. It will take visible pressure from the members and the threat of a 2/3 contract rejection vote to strengthen the hands of the "good guys" and force the industry to bargain seriously. There's time to organize that pressure, but we can't delay any longer. A number of locals around the country have made a good start. Now the rest of us need to catch up.

Framingham, Mass. Anchor drivers are doing a tremendous job pushing for a better contract. Nearly every driver signed a petition to the union stating: "We are firmly opposed to the implementation of the running mile. Leaseway is making excellent profits—\$12.8 million in 1983 alone—and we see no need for concessions of any kind. Enough is enough. We feel the 1985 contract should contain serious improvements. We believe it's urgent for members and local officers to work for improvements." Besides signing

up in numbers for TDU, they have also spread the word to Anchor drivers in Albany and Wellesley Island.

On the west coast **Southern California drivers in Local 63** are holding up their end of the stick. Over 70 attended their contract proposals meeting. Earlier, PMT drivers let Jackie Presser know their feelings in a petition which said, "Auto Transport is enjoying unprecedented prosperity, is entirely unionized and therefore is in a position to not only continue present wage and benefit levels but to increase them. We believe the next contract should demonstrate the advantages of complete unionization of an industry."

A PMT driver told *Convoy Dispatch*, "We better learn the lesson of the UPS contract. Where the members were organized, the no vote was big. But where the members were disorganized they gave up and went along with a bad contract. We're signing up members into TDU and we'll be ready for the contract vote. I hope all carhaulers will do the same. We've got to live with these contracts for three years."

Detroit carhaulers dissected the existing agreement at their contract meeting and proposed good, solid alternatives. At the January 7 meeting, 250 carhaulers unanimously proposed three steps to Jackie Presser to increase the union's bargaining power. "To demonstrate our members' determination, a strike authorization vote should be taken early in the negotiations. Following the vote the union should announce no contract will be approved except by a majority vote."

The union should announce we will continue negotiating until September. This will give our threat of a strike greater weight and will give the union increased power."

An articulate, but anonymous writer at CCI summed up the feeling in Detroit: "To be a carhauler once meant a fair wage and a certain amount of respect for doing a dangerous job that requires a special skill.... Since most of the smaller, independently owned carhauling companies have been swallowed up by corporate sponges (Ryder and Leaseway) those of you around for the transition have felt the disgusting change in policy.... Does this company expect to maintain the level of quality our shippers require by destroying the pride of the drivers?"

Carhaul Notes

Industry Seeks 80 Foot Rigs

It is truly amazing what they fail to put in the company propaganda sheet, *The Automobile Transporter*. According to *Commercial Car Journal*, "The Federal Highway Administration is getting ready to review the overall trucking operations of car carriers, based on a request from some of the carriers to increase maximum lengths to 70 and 80 feet.... According to petitions filed with FHWA, some auto carriers are requesting authority to use



combination units with 30 to 35 foot tractors capable of carrying three or four cars, plus a regular car carrying trailer."

What's Behind Damages?

A Complete driver writes: "In 1983 the damage claims were 2.0% of the units hauled. During the 1984 model year the claims were supposed to drop to 1.5%. Instead, the claims went up to 2.3%. General Motors told Complete to get their act together or they would lose the business. Reasons for higher claims: 1) Drivers have to fight for pay they have been denied or half-rated that should have been full rate. 2) Dispatch and driver check-in takes too long, 3 to 4 hours sometimes. 3) Trying to haul extra unit on equipment not designed to haul it. 4) Not paying for extra loading time, which includes shagging units, inspecting units and loading on equipment that cannot be loaded in 10 minutes per unit. 5) Most loads are six to eight way splits. Drivers are following each other around all day to the same dealers. 6) After all this the attitude of the drivers is at an all time low."

Your Ballot for a Good Contract

"We have job security in our contract. We have full job security. I don't know what language they changed in the UAW, but we have never had any problem with job security."

—Jackie Presser, December 1984

We don't know what planet this man lives on, but here on earth Teamsters do have problems with job security. Some Teamsters are doing something about it, by joining TDU. If you agree, don't sit on the sidelines, join us. Do it today.

Join TDU!

TDU Membership Application

Name _____ Local Union # _____

Address _____

City _____ State/Prov. _____ Zip _____

Phone () _____ Company _____
Area Code

City Road Dock Clerical Warehouse
Construction Production Other

☐ \$25 membership fee—for one year's membership & subscription to **CONVOY DISPATCH**.

☐ \$60 three year membership fee. (\$10 of this shall be rebated to the local chapter.)

☐ \$15 annual dues for spouses, retirees, and Teamsters who gross less than \$12,000 a year.

Return to: TDU, P.O. Box 10128, Detroit, Michigan 48210

(TDU membership is kept confidential from employers and union officials.)

You Make \$10.83 an Hour

Many carhaulers make a good paycheck. Job security, the running mile and the grievance procedure are bigger issues for most of us. However, we should never be fooled that our employers or the auto companies are doing us any favors. The figures below show that if the auto companies were delivering cars at auto workers' wages, they'd pay much more.

Compared on an equal basis with most unionized, industrial workers, we make \$10.83 an hour—quite a bit less than working in an auto plant. For the comparison to be true, remember other workers are paid time and a half over 40 hours a week. They get 30 minutes paid breaks per shift, plus 15 more for overtime hours. Finally they don't have to fill out log books, shop their trucks, wait for dispatch, etc. without getting paid. Further, consideration must be given to delays and excess-loading time we often don't get paid for. The following example assumes you work your log book to the limit, log most of your time, get two weeks vacation a year, and average \$850 a week gross pay. (Many carhaulers will correctly protest that this figure is too high.)

A few drivers make more, but they give more time outside their logs. Some work less, but chances are they make less. Anyway you figure it, the next time the dispatcher says you're overpaid, tell him to shove it.

52 weeks/yr. x \$850 = \$43,400 pay (includes vacation)

44 8-day periods in 50 weeks (two weeks vacation)

44 x 70 = 3080 hours worked and logged

50 wks. x 40 hrs. = 2000 straight time hours

3080 - 2000 = 1080 overtime hours

1/2 x 1080 = 540 hours pay for overtime adjustment

3/4 hours break in each of 7 ten-hour days =

5 1/4 hours each 8 days or 231 hours per year paid breaks adjustment

1/2 hour each day for log book, waiting for dispatch, etc. =

154 hours per year unpaid time adjustment

Total comparison hours in a year

3080 - hours worked and logged

540 - overtime adjustment

231 - paid breaks adjustment

154 - unpaid time adjustment

4005 - hours comparable to hourly job

4005 divided into \$43,400 = \$10.83 per hour